

#20

8/28/02

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995	Application Number	09/461,846
	Filing Date	December 15, 1999
	First Named Inventor	Richard N. Terry
	Group Art Unit	1714
	Examiner Name	Peter A. Szekely
	Attorney Docket Number	02706-0520 (42276-210208)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may file a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

### 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
 (Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other One reference for IDS

FAX RECEIVED

AUG 08 2002


PETITIONS OFFICE


### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

### 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed for the following fees:
- i. ☐ RCE fee under 37 C.F.R. § 1.17(e), REQUIRED when filing the RCE.
- ii. ☐ Extension of time fee under 37 C.F.R. 1.136 and 1.17.
- b. ☒ The Director is hereby authorized to charge any fees that are deemed necessary, or credit any overpayments to Deposit Account No. 11-0855 to cover the fee for filing the Petition to Withdraw Application From Issue Under 37 CFR 1.313(c)(2) and 1.17(h) (\$130 filing fee), and the Request For Continued Examination (RCE) (\$740.00 filing fee). Accordingly, the total fee deducted from Deposit Account 11-0855 is \$870.00.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED		
Type Name	Larry A. Roberts	Reg. No. 31,871
Signature		Date: August 8, 2002

CERTIFICATE OF FACSIMILE TRANSMISSION		
I hereby certify that this correspondence is being sent by facsimile transmission to the U.S. Patent and Trademark Office, Office of Petitions, P.O. Box 2327, Arlington, VA 22202, Attn: Ms. Frances Hicks via Facsimile Number 703-308-6916, on <u>August 8, 2002</u> .		
Type Name	Larry A. Roberts	
Signature		Date: August 8, 2002

08/09/2002 AKELLEY 00000014 110855 09461846

02 FC:179 740.00 CH